

CONDITIONAL USE RESOLUTION NO. CU- 506

WHEREAS, Sherman Steeby and John Steeby, pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requested a Conditional Use to allow limited manufacturing on 1.538 acres zoned "LC" Limited Commercial described as:

Lot 1, Steeby Addition, Wichita, Sedgwick County, Kansas. Generally located approximately 162 feet east of N. West Street on St. Louis Avenue.

WHEREAS, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission (hereinafter referred to as MAPC) has been given; and

WHEREAS, the MAPC did, at the meeting of March 11, 1999, consider said application; and

WHEREAS, the MAPC has authority to permit a Conditional Use, subject to any special conditions deemed appropriate in order to assure full compliance with the criteria of the Unified Zoning Code.

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Area Planning Commission that this application be approved to permit a conditional use to allow limited manufacturing on 1.638 acres zoned "LC" Limited Commercial described as

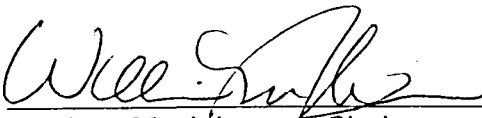
Lot 1, Steeby Addition, Wichita, Sedgwick County, Kansas. Generally located approximately 162 feet east of N. West Street on St. Louis Avenue.

subject to the following conditions:

1. The applicant shall develop the site in accordance with an approved site plan which provides required screening and buffering and compatibility standards along the east and south of the application area.
2. No openings shall be permitted on the east side of the building.
3. No outside storage shall be permitted.
4. Hours of operation shall be limited to 7:00 a.m. to 10:00 p.m.
5. Any violation of these conditions shall render this "Conditional Use" permit null and void.

Adopted this 11th day of March, 1999. This resolution shall become effective on the fifteenth day after the date last noted above unless the matter is forwarded to the Governing Body for final action under the provisions of Section V-D.6. When any one or more of the exceptions listed in Section V-D.6 exist, this resolution with its conditions of approval shall be considered a recommendation of the MAPC to the Governing Body which shall then have final authority to approve, approve with conditions or modifications, or deny the Conditional Use application.

METROPOLITAN AREA PLANNING COMMISSION



William M. Johnson, Chairman

ATTEST:



Marvin S. Krout, Secretary

FIRE HYDRANT

C.L. ST. LOUIS AVENUE

PL 27964

35. BLDG. SETBACK

- 191.64 -

-209,64

PROPOSED
BLDG.
40X50'X12

ZONED S.F.

ZOMED L.C.

20' UTILITY EASE.

PL 277.26

ZONED S.F. LEGAL: LOT 1 STEEBY ADD.

SITE PLAN

THIS PLAN IS THE PROPERTY OF SMITH
CONSTRUCTION CO. AND IS NOT TO BE
REPRODUCED UNDER ANY CIRCUMSTANCES.
VIOLATION OF COPYRIGHT IS SUBJECT TO



STAFF REPORT

CPO(4) March 11, 1999

MAPC March 11, 1999

CASE NUMBER: CU-506

APPLICANT/AGENT: Sherman Steeby and John Steeby (Owner); Garret H. Addison, Smith Construction Co., Inc. (Agent)

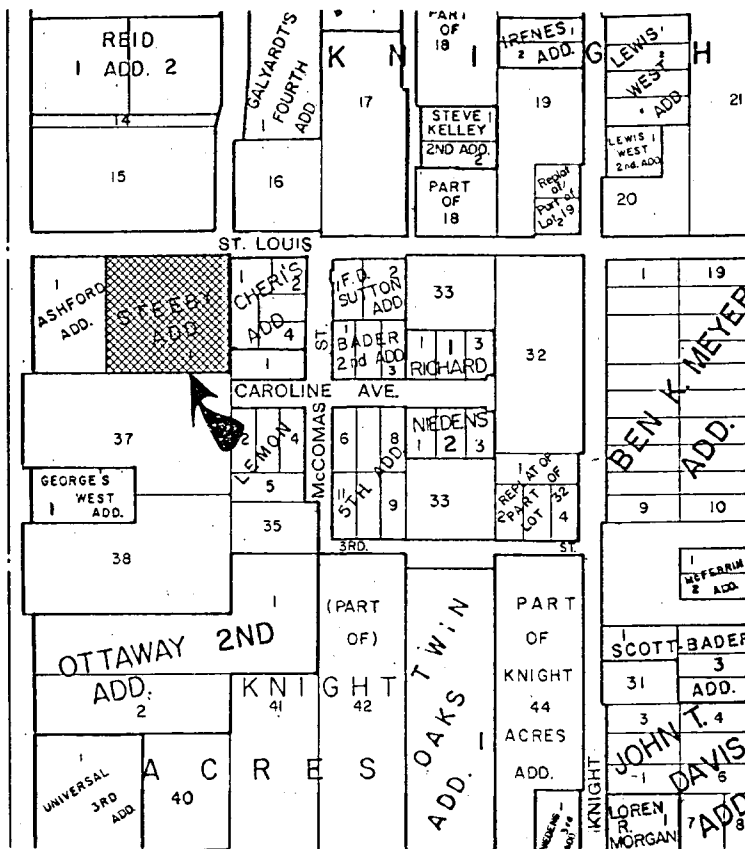
REQUEST: Conditional Use to allow limited manufacturing

CURRENT ZONING: "LC" Limited Commercial

SITE SIZE: 1.638 acres

LOCATION: Approximately 162 feet east of N. West Street on St. Louis Avenue

PROPOSED USE: The applicant requests a Conditional Use for assembly of aircraft manufacturing parts.



BACKGROUND: The applicant is requesting a Conditional Use to allow limited manufacturing on a platted lot 1.638 acres in size zoned "LC" Limited Commercial located approximately 162 feet east of N. West Street on St. Louis Avenue.

Currently the lot is vacant. The applicant proposes to construct a 40' x 50' building with metal siding and a 1/12 sloped roof for operation of a manufacturing facility to assemble aircraft parts. Employment for the operation is projected initially to be three employees.

The Unified Zoning Code requires limited manufacturing operations located on property zoned "LC" Limited Commercial to be subject to additional conditions, including provision of off-street parking, provision of building setbacks of at least 30 feet from adjacent property zoned for residential use, no outside storage is permitted, and no more than 15 employees per acre of lot area are allowed during a work shift. Additionally, the Conditional Use must conform with compatibility standards that no building or other accessory structures may be located within 25 feet of adjacent property zoned for residential use and that landscape screening be provided along borders of property zoned for residential use. The site must be at least two acres in size. Noise from the assembly operation will need to meet residential noise standards in the adjoining the residential areas.

The site plan submitted by the applicant exceeds the required number of parking spaces. The proposed building is situated 30 feet from the property line that is adjacent to property zoned "SF-6" to the east and 125 feet from the property zoned "SF-6" located to the south. Total height of the building is to be 12 feet, well below the 35 feet height restriction for "LC" Limited Commercial. The site is less than the two acre minimum size required for "LC" Limited Commercial property to be used for limited manufacturing. The applicant has submitted a request for a variance from this minimum site size requirement that will be heard by the Board of Zoning Appeals on March 23, 1999.

The area surrounding of the application area is characterized by commercial uses to the west and northwest, including a bowling alley located across St. Louis Avenue to the northwest and two restaurants adjoining the site to the west. Both restaurants face onto West Street. The bowling alley also faces onto West Street, however the entrance to the child care services supporting it is situated on the rear of the lot, directly across St. Louis Avenue from the application area. The remaining uses surrounding the application area to the northeast, east and south are residential. Single family houses are located directly east and across St. Louis to the northeast. Several infill houses are located within a two-block radius of the property. To the north of the single family houses along St. Louis is an apartment complex. There is one residence on an oversized lot adjoining the southern boundary of the application area.

CASE HISTORY: The site was platted as part of Ashford Addition in 1965 and replatted as Lot 1 of Steeby Addition October 15, 1997. The property is zoned "LC" Limited Commercial.

ADJACENT ZONING AND LAND USE:

NORTH: "LC" "Limited Commercial"; bowling alley
SOUTH: "SF-6" "Single Family"; single-family residence
EAST: "SF-6" "Single Family";, single-family residences
WEST: "LC" "Limited Commercial"; two restaurants

PUBLIC SERVICES: This application area is located 162 feet east of N. West Street, a five-lane arterial. No traffic counts are available at the intersection of West Street and St. Louis Avenue. Access to West Street would be via St. Louis Avenue. Sewer and water service are available to this site.

CONFORMANCE TO PLANS/POLICIES: The "Area Treatment Classification" of the Comprehensive Plan identifies this area as "Revitalization". These areas, which are experiencing some decline but have good market and development opportunities, would be stabilized by policies which include improvement of community services, encouragement of well designed infill housing, encouragement of housing improvements and rehabilitation, and incentives to emphasize innovative housing types and mixed use development. The Adopted Land Use Guide of the Comprehensive Plan identifies this area as appropriate for commercial uses.

RECOMMENDATION: Based upon information available prior to the public hearing, planning staff recommends that the request be APPROVED with the following conditions:

1. The applicant shall develop the site in accordance with an approved site plan which provides required screening and buffering and compatibility standards along the east and south of the application area.
2. No openings shall be permitted on the east side of the building.
3. No outside storage shall be permitted.
4. Hours of operation shall be limited to 7:00 a.m. to 10:00 p.m.
5. Any violation of these conditions shall render this "Conditional Use" permit null and void.

This recommendation is based on the following findings.

1. The zoning, uses and character of the neighborhood: The area surrounding the application area is characterized as a mix of commercial and residential uses. The properties to the northeast, east and south are developed with single-family residences. The properties to the north and west are developed with commercial uses. The proposed site plan provides buffering and screening to minimize the impact on the surrounding residential uses. The proposed assembly operation is compatible with limited commercial development and would be expected to generate a small volume of traffic and off-street parking.
2. Suitability of the subject property for the uses to which it has been restricted: The property could be used for any of the uses allowed by right through "LC" Limited Commercial, consistent with existing adjacent uses to the north and west.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval of this request would permit a low-intensity manufacturing assembly use in the vicinity of limited commercial and residential development. The effect on the surrounding uses should be minimal due to low volume of traffic and parking generated, screening and buffering along residential uses, and restriction of noise generated by the facility.
4. Length of time the subject property has remained vacant as zoned: The application area has always been vacant, however, the property was a part of a developed lot in Ashford Addition until it was replatted in 1997 and has remained vacant and available for development since that time.
4. Conformance of the requested change to adopted or recognized Comprehensive Plan: The Comprehensive Plan recommends the area for "Revitalization" and for commercial land use. The proposed use conforms with the conditional use requirements for limited manufacturing when located in an area zoned for limited commercial use.
5. Impact of the proposed development on community facilities: Municipal water and sewer services are located nearby and are available to serve assembly functions which do not require excessive water or sewer capacity. St. Louis Avenue has the capacity to serve as the feeder for traffic generated by the site to N. West Street.